

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

AMY COE, on behalf of herself and all others
similarly situated,

Plaintiff,

v.

PHILIPS ORAL HEALTHCARE, INC. and
KONINKLIJKE PHILIPS ELECTRONICS
N.V.,

Defendants.

NO. 13-00518 MJP

STIPULATION AND PROPOSED
ORDER REGARDING INITIAL
DISCLOSURES AND JOINT STATUS
REPORT AND OTHER DEADLINES

STIPULATION

On April 25, 2013, this Court issued its Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement [Dkt. 11]. That order set the following deadlines:

- Deadline for FRCP 26(f) Conference: May 23, 2013
- Initial Disclosures Pursuant To FRCP 26(a)(1): May 30, 2013
- Combined Joint Status Report and Discovery Plan: June 6, 2013

The current response deadline for Plaintiff's initial complaint is May 17, 2013. In response to Defendant Philips Oral Healthcare, Inc.'s ("Philips") indication that it intends to file a motion to dismiss, Plaintiff's counsel has informed Philips' counsel that Plaintiff intends to file

STIPULATION AND ORDER REGARDING INITIAL
DISCLOSURES AND JOINT STATUS REPORT - 1
No. 13-00518 MJP

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1 an amended complaint or superseding complaint. Counsel for the parties have been informed
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3 and believe that one or more additional complaints relating to the issues and claims in the above-
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5 captioned action may be filed.
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7 As a consequence, and to provide Plaintiff with sufficient time to file its amended or
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9 superseding complaint, the parties hereby stipulate that Philips shall not be required to answer or
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11 otherwise respond until 30 days after Plaintiff files and serves her amended or superseding
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13 complaint. In light of these facts, the parties also believe that, in the interests of judicial
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15 economy, the FRCP 26(f) conference, initial disclosures, and joint status report should be
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17 postponed for 90 days to allow for Plaintiff's filing of an amended or superseding complaint and
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19 the resolution of Philips' motion to dismiss, should Philips pursue such a motion. Thus, the
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21 parties jointly request the Court to extend the Rule 26 deadlines by 90 days.
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23 Further, the parties request that Plaintiff's deadline to file a motion for class certification
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25 be extended until 160 days from the opening of discovery.
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27 DATED this 15th day of May, 2013.
28

29 **LAW OFFICES OF CLIFFORD A. CANTOR, P.C.**

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31
32 By /s/ Clifford A. Cantor

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45 Attorneys for Defendant Philips Oral Healthcare, Inc.

ORDER

Based upon the above stipulation, the Court hereby extends the deadlines set forth in the April 25, 2013, Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement [Dkt. 11] as follows:

- Deadline for FRCP 26(f) Conference: August 29, 2013
- Initial Disclosures Pursuant To FRCP 26(a)(1): September 5, 2013
- Combined Joint Status Report and Discovery Plan: September 12, 2013

In addition, the Court orders that Defendants shall not be required to answer or otherwise respond to Plaintiff's complaint until 30 days after Plaintiff files and serves an amended or superseding complaint. Finally, the Court orders that Plaintiff's deadline to file a motion for class certification is hereby continued until 160 days after the opening of discovery.

DATED this ____ day of _____, 2013.

The Honorable Marsha J. Pechman
United States District Judge

Presented by:

GORDON TILDEN THOMAS & CORDELL LLP

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Jeffrey I. Tilden, WSBA No. 12219
Attorneys for Defendant Philips Oral Healthcare, Inc.

LAW OFFICES OF CLIFFORD A. CANTOR, P.C.

By /s/ Clifford A. Cantor
Clifford A. Cantor, WSBA No. 17893
Attorneys for Plaintiff Amy Coe

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Counsel for Plaintiff:

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